

**Speaks with CNO and Secretary of the Navy; Continues to Insist on Full Accountability throughout Chain of Command**

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Washington, DC – Congressman Joe Sestak (PA-07), a former 3-star Navy Admiral, spoke with Secretary of the Navy Ray Mabus and Chief of Naval Operations (CNO) Gary Roughead regarding the just-completed review of the investigation of abuses of sailors committed in a Bahrain dog handling unit and why appropriate action was not taken following the initial inquiry into the matter two years ago. From these conversations, the Navy has decided to take the following steps:

A letter of censure is to be placed on the record of Michael Toussaint – the Chief Petty Officer who was in charge of the Bahrain unit at the time and was subsequently promoted to Senior Chief Petty Officer (SCPO).

SCPO Toussaint's request to extend his enlistment in the Navy will be vacated, forcing him to retire.

The CNO is convening a paygrade determination board to review the paygrade at which SCPO Toussaint will retire. The advisory board will present its recommendation to the Secretary of the Navy who personally will make the final decision. This has significant financial implications for SCPO Toussaint.

SCPO Toussaint has been removed from his current command and placed in an administrative position without leadership until removal from service and the paygrade determination is made by early next year.

The CNO has directed that the Naval Criminal Investigative Service (NCIS) conduct additional interviews with other officers stationed in Bahrain at the time of the incidents in question to assess further questions of the leadership in that region when the abuses occurred.

These measures were decided on by the Navy after the CNO's most recent review – following concurrence with the Secretary – with consideration that the legal process had already transpired with regard to those implicated of wrongdoing. In the initial investigation, the Commander, Navy Installations Command (CNIC) forwarded to various commanders four cases of individuals that had been implicated for wrongdoing. His forwarding letter recommended the commanders take "appropriate action." In two of the instances, including SCPO Toussaint, administrative – rather than a judicial/non-administrative – actions were done (and in the case of SCPO Toussaint, a "non-punitive" letter was issued, which is not entered into any official record). And no action was taken in the other two cases.

The Navy has accepted the fact that the legal process was completed and a determination was already made in the four cases, but following his review of the reports of the most egregious offender, SCPO Toussaint, the CNO – disagreeing with the behavior of the SCPO – has taken the additional steps to end the officer's career and establish a board to consider the appropriate grade at which he will retire.

"I support the penalties assessed to SCPO Toussaint for his outrageous behavior and I look forward to further briefings about results of interviews with others in leadership positions in the Bahrain area when the incidents took place," said Congressman Sestak. "However, after reading the initial investigation reporting 97 documented incidents of abuse – more than abuse; brutal criminal behavior from hitting sailors to breaking regulations by asking if someone is gay, to dragging sailors through feces and locking them in dog kennels – there is absolutely no way anyone can accept that the administrative actions – and non-actions taken in two of the cases – by commanders should not have been overruled by the chain of command, which had sent them the investigation's recommendations to be dealt with 'as appropriate.' However, the junior commanders did not deal with the investigation's recommendations 'appropriately,' and as permitted by the legal system, the senior commanders who had sent the report's recommendations to be followed up on by others, should have overruled the inadequate accountability, particularly since the actions involved criminal behavior.

"In the military, we often delegate responsibility, but can never delegate accountability. The astonishing absence of accountability in this case throughout the chain of command was inexcusable. As a result of the criminal abuse committed in the Bahrain dog unit, a life has been lost and irreparable harm done to sailors involved. The Secretary of the Navy has assured me that in proceeding with the additional interviews the CNO mentioned, he will expand them to include the chain of command that did not overrule their subordinate commanders of inappropriate actions for those implicated of wrongdoing. I look forward to being apprised of the results of this close examination of the lack of accountability by seniors in the chain of command and their actions, or non-actions.

"That said, I strongly believe that the abuses reported do not at all reflect the institution of the Navy, but a standard must be transparently set that we will never tolerate – whether in the Navy, other branches of the military, or other public institutions – the lack of accountability that occurred in the case of those who committed crimes or those who did not ensure appropriate punishment for those crimes. If these abuses – which are not, I am certain, reflective of the Navy as a whole – are permitted to pass without full accountability, that speaks most strongly to our current and prospective sailors and their families."

The Congressman specifically addressed the case of Joseph Rocha, a member of the unit under SCPO Toussaint's command, who was later discharged from the Navy under Don't Ask Don't Tell. The abuses of him included clear violations of the military's policy toward homosexuals.

"Petty Officer Third Class Rocha could not even come forward to fully report the criminal actions and the attempt by members of the unit to have him reveal his sexual orientation," said Congressman Sestak. "As we work to address the stark lack of accountability in this case, we should not lose sight of another example of an illogical policy, which is Don't Ask Don't Tell.

"I commend him for his courage both in service and afterwards as he has bravely detailed what happened in his unit, while maintaining that the abuses do not speak to the overall caliber of our Navy."